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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 JAMES PHILIP DOUGLAS,
12 Plaintiff,

13 v.

14 RON VAN BOENING, *et al*,
15 Defendants.
16

Case No. C08-5608RJB-KLS
ORDER

17 This matter has been referred to Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. §
18 636(b)(1), Local Magistrates Rules MJR 3 and 4, and Rule 72 of the Federal Rules of Civil Procedure.
19 The case is before the Court on plaintiff's filing of a motion for discovery. (Dkt. #1-4). After reviewing
20 plaintiff's motion and the balance of the record, the Court finds and orders as follows:

21 Along with his complaint and his application to proceed *in forma pauperis*, plaintiff also filed a
22 motion seeking discovery of all documents relating to his enrollment in Pierce College at his current place
23 of incarceration. The Court, however, finds plaintiff's motion to be premature. Indeed, as discussed in a
24 separate order dated the same date herewith, plaintiff's complaint is deficient, and unless plaintiff is able
25 to cure the deficiencies noted by the Court by the deadline set forth in that order, a recommendation will
26 be made that the complaint be dismissed. This does not mean that plaintiff will not eventually be entitled
27 to seek proper discovery in this matter should he cure the deficiencies in his complaint, only that he may
28 not do so at this time.

1 Accordingly, plaintiff's motion for discovery (Dkt. #1-4) hereby is DENIED. The Clerk is
2 directed to send a copy of this Order to plaintiff.

3 DATED this 20th day of November, 2008.

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7 Karen L. Strombom
8 United States Magistrate Judge
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